

REMARKS

Claims 1 through 15 and 23 through 26 are now pending in the application. Applicants thank the Examiner for the thorough consideration given the present invention. It is respectfully requested that the Examiner reconsider and withdraw the rejections in view of the remarks contained herein.

PHONE CALL TO EXAMINER

The undersigned thanks the Examiner for the courtesies extended in a phone call on November 5, 2002. The Examiner indicated the above amendments to the claims would obviate the rejections in the office action mailed September 11, 2002 and that the Examiner would enter these amendments.

ELECTION REQUIREMENT

Applicants note the election requirement and in response cancel claims 16 through 22 without prejudice or disclaimer to the subject contained therein.

REJECTION UNDER 35 U.S.C. § 102(b)

Claims 1 through 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schell et al. (U.S. Pat. No. 5,738,177). Alternatively, Claims 1 through 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Milkovich et al. (U.S. Pat. No. 6,100,114). As noted above, the Examiner indicated during a telephonic interview on November 5, 2002 that the above amendments to the claims would obviate the rejections under 35 U.S.C. §

102(b). Applicants, therefore, respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 102(b).

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly accommodated. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Dated: 11/27/02

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Respectfully submitted,

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ATTACHMENT FOR SPECIFICATION AMENDMENTS

The following is a marked up version of each replacement paragraph and/or section of the specification in which underlines indicate insertions and brackets indicate deletions.

Paragraph [0001]:

[0001] This application claims the benefit of U.S. Provisional Application No. 60/263,379, filed January 23, 2001. Other features of the present invention are discussed and claimed in commonly assigned copending U.S. Application Serial No. [09/____,____] 09/964,226 entitled [Multispeed] Multi-Speed Power Tool Transmission; U.S. Application Serial No. [09/____,____] 09/964,078 entitled First Stage Clutch; and U.S. Application Serial No. [09/____,____] 09/965,108 entitled 360 Degree Clutch Collar.

ATTACHMENT FOR CLAIM AMENDMENTS

The following is a marked up version of each amended claim in which underlines indicates insertions and brackets indicate deletions.

1. (Amended) [An article] A portable power tool comprising a [first] housing structure and a secondary structure, the [first] housing structure having a molded portion for at least partially housing a motor assembly of the portable power tool, the housing structure also including an [structural portion and an] overmold portion, [the overmold being] that is formed from a resilient material and at least partially molded onto the [structural] molded portion, the overmold portion defining a seal portion that is configured to engage the secondary structure to form a seal between the [structural] molded portion and the secondary structure.

2. (Amended) The [article] tool of Claim 1, wherein the [first] secondary structure is an end cap, [shell, the second structure is a motor housing and the article is a rotary power tool.]

3. (Amended) The [article] tool of Claim 1, wherein the overmold portion also retains the secondary structure in a predetermined location relative to the [structural portion] housing structure.

4. (Amended) The [article] tool of Claim 3, wherein the resilient material is a vibration dampening material that is configured to attenuate vibrations that are transmitted between the [structural portion] housing structure and the secondary structure.

5. (Amended) The [article] tool of Claim 4, wherein the resilient material is a thermoplastic elastomer.

6. (Amended) The [article] tool of Claim 1, wherein the overmold portion further includes a bumper member that is coupled to an exterior surface of the [structural portion] housing structure, the bumper member being configured to abut the secondary structure to limit movement of the secondary structure relative to the [structural portion] housing structure in a predetermined direction.

7. (Amended) The [article] tool of Claim 6, wherein the bumper member is raised from the exterior surface of the [structural] secondary portion but otherwise conforms to the shape of the [structural] secondary portion in an area in which the bumper member and the [structural portion] housing structure abut.

8. (Amended) The [article] tool of Claim 6, wherein the overmold portion includes a linking member that links the seal portion and the bumper member together.

9. (Amended) [An article] A portable power tool comprising a [first] housing structure and a secondary structure, the [first] housing structure having a [structural] molded portion [and an overmold portion, the overmold portion being] for at least partially housing a motor assembly of the portable power tool, the housing structure also including an overmold portion that is formed from a resilient material and at least partially molded onto the [structural] molded portion, the overmold portion defining an isolator portion that is configured for contacting the second structure and dampening vibrations that are transmitted between the structural portion and the second structure.

10. (Amended) The [article] tool of Claim 9, wherein the [first] secondary structure is an end cap shell [and the second structure is a motor housing].

11. (Amended) The [article] tool of Claim 9, wherein the overmold portion also retains the secondary structure in a predetermined location relative to the structural portion.

12. (Amended) The [article] tool of Claim 9, wherein the resilient material is formed from a thermoplastic elastomer.

13. (Amended) The [article] tool of Claim 9, wherein the overmold portion further includes a bumper member that is coupled to an exterior surface of the [structural portion] secondary structure, the bumper member being configured to abut the secondary structure [to limit movement of the second structure] relative to the [structural portion] housing structure in a predetermined direction.

14. (Amended) The [article] tool of Claim 13, wherein the overmold portion includes a linking member that links the isolator portion and the bumper member together.

15. (Amended) The [article] tool of Claim 13, wherein the bumper member is raised from the exterior surface of the [structural portion] secondary structure but otherwise conforms to the shape of the [structural portion] secondary structure in an area in which the bumper member and the [structural portion] secondary structure abut.